



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/717,867	11/19/2003	Hiroshi Chishima	17261	9342

23389 7590 07/25/2006

SCULLY SCOTT MURPHY & PRESSER, PC
400 GARDEN CITY PLAZA
SUITE 300
GARDEN CITY, NY 11530

EXAMINER

LUDWIG, MATTHEW J

ART UNIT PAPER NUMBER

2178

DATE MAILED: 07/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/717,867	Applicant(s) CHISHIMA, HIROSHI	
	Examiner Matthew J. Ludwig	Art Unit 2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☒ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to the application filed 5/1/2006. The examiner acknowledges applicant's claim to foreign priority to Japanese Patent Application 2002-336149, filed 11/20/2002.
2. Claims 1-27 are pending in the case. Claims 1, 18, 19, 20, 21, 22, 23, 24, and 25, are independent claims.
3. Claims 7, 10, and 11 remain rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter. Claims 1, 2, 6, 12, and 15 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter have been withdrawn pursuant to applicant's amendment. Claims 1-27 rejected under 35 U.S.C. 101 as being directed toward non-statutory subject matter has been withdrawn pursuant to applicant's amendment.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
5. **Claims 7, 10, and 11, are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**

In reference to dependent claim 7, the claim recites several limitations, which fails to clearly state the subject matter in a way that could be interpreted by one of ordinary skill in the art. The

Art Unit: 2178

examiner believes terms such as 'instructing the document information manipulation unit on a node' leaves the limitation ambiguous. Furthermore, the term 'informed from the event information informing unit' also seems to point to ambiguous subject matter and would not provide someone with ordinary skill in the art with a means of understanding what informing means in a web environment. Finally, the phrase 'as well as a content of the editing' fails to particularly point out applicant's claim invention. The specification fails to provide support for such a phrase and the Examiner suggests rewriting said limitations in such a way as to allow one of ordinary skill in the art the opportunity to understand the presently claimed subject matter.

In reference to dependent claim 10 & 11, the claim recites the phrase 'corresponding to the proprietary tag or the proprietary attribute which are uniquely extended'. It is unclear to the examiner what is meant by the terms 'uniquely extended', as presently claimed. The language leaves the claim ambiguous and the specification fails to support such claim language.

Furthermore, the phrase 'the proprietary attribute is voice production processing' fails to particularly point out applicant's claimed invention. The examiner is unclear as to the meaning of voice production processing as presently claimed. Appropriate correction required.

Claim Rejections - 35 USC § 103

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 103(a) that form the basis for the rejections under this section made in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. **Claims 1-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shigemi et al., USPN 6,314,434 filed (10/8/1998).**

In reference to independent claim 1, Shigemi teaches:

The script interpreter parses and executes MIPS scripts which contain the process definition concerning each management object. Furthermore, although the SGML and MIPS have been chosen in the embodiment, the present invention is not limited to these particular language specifications. As an alternative to SGML, XML can be used to produce DTDs. Instead of MIPS, any interpreter languages can be used for scripting processes (compare to “*a document parser unit for converting document data into structured document information according to an instruction from an application program*”). See column 9, lines 15-45 and column 10, lines 20-54. Although the reference fails to explicitly state a document parser it provides a suggestion of parsing SGML and XML data into structured document data (and or nodes) to read out a relationship description associated with the target instance. It would have been obvious to one of ordinary skill in the art having the well known business document system taught by Shigemi and modified the parser to produce DTD's from both SGML and XML for clearly separating data from processes.

Each structured electronic data object is associated with relevant process scripts that describe how the individual nodes will behave (compare to “*a document information manipulation unit for enabling the structured document information to be referred from the application program*”). See column 5, lines 45-55.

Depending on the content of each active process, a work list written in the Hyper Text Markup language (HTML) is delivered from the processing engine to the client process. This

Art Unit: 2178

processing engine is constructed within a WWW server, while the client process is a WWW browser (compare to “*a browser core unit for displaying a document based on the structured document information according to an instruction from the application program*”). See column 10, lines 10-21.

If the two versions have an explicit relationship, the structured data processing unit continues the process according to the inter-node relationships being defined explicitly. The structured data processing unit prompts the user to enter an appropriate instruction, while showing him/her the current situation of both structured data objects (compare to “*event information informing unit for, when an event relating to a displayed document takes place, informing the application program of event information indicating a type of the event and a part of the document where the event takes place*”). See column 6, lines 51-67.

In reference to dependent claim 2, Shigemi teaches:

Now that the new destination is determined in this way, the process scripts in the structured data object are updated so that their references to the obsolete node will point to the new destination. Nodes in a structured data object are associated with specific process scripts that describe how the individual nodes should work.

In reference to dependent claim 3, Shigemi teaches:

The client environment allows the user to interact with the system through a graphical user interface. The client environment further provides the edit tool and other software development tools. The client process sends messages to the processing engine in response to inputs from the user or the edit tool. See column 11, lines 13-25.

In reference to dependent claim 4, Shigemi teaches:

Each structured electronic data object is associated with relevant process scripts that describe how the individual nodes will behave. See column 5, lines 45-50. Messages addressed to an obsolete node can still be handled in the new organization model. Even if the node itself cannot be found in the new version, the structured data processing unit will investigate the upper-level structure of the obsolete node in the old version, identify its parent node in the new version, and redirect the messages to that node. See column 5, lines 10-25.

In reference to dependent claim 5 & 7, Shigemi teaches:

Each structured electronic data object is associated with relevant process scripts that describe how the individual nodes will behave. See column 5, lines 45-50. Messages addressed to an obsolete node can still be handled in the new organization model. Even if the node itself cannot be found in the new version, the structured data processing unit will investigate the upper-level structure of the obsolete node in the old version, identify its parent node in the new version, and redirect the messages to that node. See column 5, lines 10-25.

Another usage of model-specific methods might be a copyright protection of all SGML instances under a specific DTD. To implement this function, one should define an operator that will add an electronic signature as an attribute of the SGML instances. See column 12, lines 35-45.

In reference to dependent claim 8, Shigemi teaches:

Each structured electronic data object is associated with relevant process scripts that describe how the individual nodes will behave. See column 5, lines 45-50. Messages addressed to an obsolete node can still be handled in the new organization model. Even if the node itself

cannot be found in the new version, the structured data processing unit will investigate the upper-level structure of the obsolete node in the old version, identify its parent node in the new version, and redirect the messages to that node. See column 5, lines 10-25.

Another usage of model-specific methods might be a copyright protection of all SGML instances under a specific DTD. To implement this function, one should define an operator that will add an electronic signature as an attribute of the SGML instances. See column 12, lines 35-45.

In reference to dependent claim 9, Shigemi teaches:

If there is a structured data object named “organization,” which describes an enterprise’s organizational structure. This organization model should be updated to a new version, each time a change occurs in the enterprise’s organization. Suppose here that one member node of the old structured data object has become obsolete as a result of changes in the organization. In this case, messages addressed to the obsolete node can still be handled in the new organization model. Even if the node itself cannot be found in the new version, the structured data processing unit will investigate the upper level structure of the obsolete node in the old version. See column 5, lines 10-30.

In reference to dependent claim 13, Shigemi teaches:

Messages generated by a script in a management object to call up another script in a different management object. See column 9, lines 16-40. Another usage of model-specific methods might be a copyright protection of all SGML instances under a specific DTD. To implement this function, one should define an operator that will add an electronic signature as an attribute of the SGML instances. See column 12, lines 35-45.

In reference to dependent claim 14, Shigemi teaches:

Messages sent from the client process to the processing engine in response to the user's keyboard/mouse operations. See column 9, lines 15-45.

In reference to dependent claim 16, Shigemi teaches:

The message queue actually has two parts; one serves as the temporary storage for event messages, and the other serves as the storage for event log information. The first part of the message cue keeps the messages making a classification according to their originators. The stored information is used to check the present status of each process concerning individuals or some specialized groups. See column 9, lines 57-67.

In reference to dependent claim 17, Shigemi teaches:

The structured data processing unit will investigate the upper-level structure of the obsolete node in the old version, identify its parent node in the new version, and redirect the messages to that node. See column 5, lines 20-25.

In reference to dependent claims 6, 10, 12, and 15, the messages (i.e. messages sent from the client process to the processing engine in response to the user's keyboard/mouse operations, E-mail messages sent from processing engines in other systems, messages sent from the timer event processor at a predetermined time, or messages generated by a script in a management object to call up another script in a different management object) being transmitted would have provided sufficient voice production processing.

In reference to claims 18-29, the claims recite similar limitations used for performing the methods as claimed in 1-5. In further view of the following, the claims are rejected under similar rationale.

Response to Arguments

8. Applicant's arguments with respect to claims 1-27 have been considered but are moot in view of the new ground(s) of rejection.

Applicant's argues on page 15 of the amendment that the present invention converts document data, not script messages, into structured document information. However, the script messages transmitted in the system include the following types; Email messages (which suggest document data) sent from processing engines in other systems, messages sent from the timer event processor at a predetermined time of day. The Email messages taught by Shigemi provide a suggestion of document data within a business document environment. Furthermore, applicant is reminded that because the claim limitations are to be given their broadest reasonable interpretation within the scope of the art, the 'event' and 'event information' as presently claimed within the independent claim, fails to preclude the Examiner from utilizing the two versions taught by Shigemi that have an explicit relationship as a generic event. The structured data processing unit continues the process according to the inter-node relationships being defined explicitly and the structured data processing unit prompts the user to enter an appropriate instruction, while showing him/her the current situation of both structured data objects.

Applicant amended the independent claims to include such language as 'converting document data into structured document information in response to an instruction', 'displaying a display document based on the structured document information in response to an instruction from the application program', and 'said event informing unit informs the application program', which changes the scope of the claims and the invention when read as a whole. Therefore, the rejection has been adjusted accordingly and the action has been made final.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew J. Ludwig whose telephone number is 571-272-4127. The examiner can normally be reached on 9:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2178

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ML

A handwritten signature in black ink, appearing to read "Cesar Paula", written in a cursive style.

**CESAR PAULA
PRIMARY EXAMINER**